BUREAU OF ENVIRONMENT
CONFERENCE REPORT

SUBJECT: NHDOT Monthly Natural Resource Agency Coordination Meeting
DATE OF CONFERENCE: May 16, 2007
LOCATION OF CONFERENCE: John O. Morton Building
ATTENDED BY:

NHDOT
Kevin Nyhan
Charlie Hood
Cassandra Gardner
Bill Hauser
Randy Talon
Bob Aubrey
Marc Laurin
Nancy Mayville
Chris Carucci
Jon Evans
Tim Boodey
Ted Kitsis
Christine Perron
Gene Sawyer
Bob Landry
Alex Vogt
Mike Dugas

Federal Highway Administration
Bill O'Donnell
Leigh Levine

Army Corps of Engineers
Rich Roach

NHDES
Lori Sommer
Gino Infascelli
Steve Couture
Chris Williams

US Fish and Wildlife Service
Bill Neidermyer

NH Office of Energy and Planning
Jennifer Gilbert

NH Natural Heritage Bureau
Melissa Coppola

Nashua Regional Planning Commission
Tim Roache

CLD Engineers
Jamie Paine
Chris Bean

CEI, Inc.
John Vancor
Stephanie Hanson

HTA, Inc.
Ted Setas
Stephen Haas

VHB, Inc.
Pete Walker
Frank O'Callaghan

PB, Inc.
Bob Klimm

Normandeau Associates
Jennifer West

HNTB Corporation
Addie Kim

Town of Derry
Michael Fowler

City of Nashua
Steve Dookson

PRESENTATIONS/ PROJECTS REVIEWED THIS MONTH:
(minutes on subsequent pages)

(When viewing these minutes online, click on a project to zoom to the minutes for that project)

NOTES ON CONFERENCE:

Finalization of April 18, 2007 Meeting Minutes

Changes were made to the minutes prior to the meeting. No one in attendance provided additional changes. The April 18, 2007 meeting minutes were finalized.

Natural Stream Channel Design Guidelines Document

Steve Couture, DES Rivers Program, provided an overview of a recently completed DES guidelines document entitled Guidelines for Naturalized River Channel Design and Bank Stabilization. He handed out copies to agencies in attendance and provided an overview of the website at DES that also houses the guidelines: http://www.des.state.nh.us/rivers/guidelines_naturaldesign.htm. The development of the document was completed by numerous State and Federal agencies, in coordination with the NH Stream Team. The NHDOT participation in the funding of the document was mitigation for the wetland impacts associated with the Bedford, 10018C project.

Derry, 14192

The purpose of this meeting was to introduce the conceptual plan for this project to the agencies and bring forth possible issues. A 40-scale plan of the conceptual layout was presented and it was explained that slope lines have not been developed at this time. The project is located on NH Route 28 in Derry and begins approximately 700 feet north of Ashleigh Drive, and continues 0.4 miles south to approximately 500 feet south of Tsienetto Road.

This is a municipally managed project and is scheduled to advertise in the fall of 2007. The State of New Hampshire has allocated approximately $700,000 for the construction of the project. HTA is under contract with the Town of Derry to produce preliminary and contract plans and specifications and is beginning the design process.

The project addresses the issues brought forth in a corridor study that was completed for NH Route 28 in 2002. The study recommended that a "pinch point" between Ashleigh Drive and Tsienetto Road where the roadway presently narrows to one thru lane in each direction, be removed by maintaining 2 thru lanes in each direction. Roadway widening is proposed primarily on the east side of the roadway in order to accommodate the additional thru and associated turning lanes.

Wetlands have been delineated in the following locations:

1. Northeast corner of Rte. 28 and Ashleigh Drive (Sullivan Tire site).
2. Northeast corner of Rte. 28 and Linlew Drive (NH Liquor Store site).
3. Northwest corner of Rte. 28 and Tsienetto Road (Derry Police Department site).
4. Stream approximately 400 feet north of Tsienetto Road (Sanmina site).

It is also appears that wetlands exist behind the "Pinkerton Tavern" site (13 Manchester St.), though not delineated at this time. Relocation of the existing "Pinkerton Tavern" building is being proposed with this

design. The owners have been contacted and have expressed a desire to expand their future parking to the rear of the parcel, which is likely to impact wetlands. A follow up meeting with the owners is scheduled for May 22, 2007 at which time the possible new building location and parking alternatives will be discussed.

There are groundwater monitoring wells located on the Sanmina site on the east side of NH Route 28 just north of the stream crossing. These may be impacted by the proposed layout.

The open area located near the wetlands at the northwest corner of the NH Route 28/ Tsienetto Road intersection may be utilized for treatment.

Gino Infascelli stated that the wetland area at the northwest corner of NH Route 28 and Tsienetto Road should not be used as a possible treatment area. Ted Setas clarified that the non-delineated areas on the parcel may provide an area for treatment.

Rich Roach asked if the alternative to purchase land to the north of the "Pinkerton Tavern" site has been considered to mitigate parking impacts. T. Setas stated that the Town is reviewing all options at this time with the owner.

G. Infascelli asked what the existing drainage patterns are in the area. T. Setas explained that the area consists of rolling roadway topography with high points near Ashleigh Drive and Tsienetto Road. Essentially the roadway drainage splits near Linlew Drive with the runoff from the northern portion of the roadway running northerly towards Ashleigh Drive and the southerly portion outletting to the south side of the unnamed stream.

G. Infascelli asked if there were any prime wetlands in the project area. T. Setas stated that it was not known at this time, but he would follow up.

The project will be presented again at a later date once more details on design and impacts are available.

Nashua (Broad Street Parkway), NRBD-5315(21), 10040A

Peter Walker, VHB, provided an overview of the Broad Street Parkway project. The purpose of the project is to construct approximately 1.8 miles of new urban connector from downtown Nashua to the FE Everett Turnpike through the Nashua Millyard. P. Walker distributed a five-page handout summarizing the project. P. Walker explained that the project has already been through the National Environmental Policy Act (NEPA) process with a Final Environmental Impact Statement (FEIS) issued in 1997 and a Record of Decision (ROD) issued later that year. To explain the roadway layout, P. Walker used two large-scale concept plans: (1) the "FST Plan" which is similar in configuration to the four-lane concept analyzed in a 1997 FEIS and ROD, and (2) an updated 2003 concept "the Rizzo Plan." The main differences between the current plan and the EIS Selected Alternative were summarized as follows:

- The number of lanes has been reduced from four lanes to two lanes;
- The alignment of the roadway has been slightly revised to reduce the impact to the Nashua River and the historic Nashua Millyard;
- An at-grade, signalized intersection at Sergeant Avenue was eliminated.

VHB has been retained by the Nashua Regional Planning Commission (NRPC) and the City to conduct a short-term study of the project, with two main objectives:

- Advance a 2003 Concept Alternative (two lanes), including cost estimates, so that it can be compared with the Selected Alternative (four lanes) as it was presented in the 1997 Final Environmental Impact Statement. This task includes refining the connections at Broad Street on the south end of the project and the connections in the downtown area.
- Define the project development process and the scope of work to complete environmental permitting to move the Revised 2003 Concept towards construction.

P. Walker explained that VHB is not conducting environmental analysis as part of the current scope. Rather, the goal is to develop a scope for the future NEPA process. The project report is expected to be issued in August. Based on conversations with FHWA and others, it has been determined that a written re-evaluation of the Final EIS and ROD will need to be completed. The evaluation needs to consider: (1) the approved project (i.e., the Selected Alternative) as per the ROD, (2) the No-build Alternative, and (3) the final Two-lane Alternative (which was developed during a 2003 study by Rizzo Associates for the City and which is being refined by the current study).

As part of the development of the environmental process scope, P. Walker asked the resource agencies to provide any input on new or updated environmental data or regulatory considerations. The following points were discussed in response to this question:

- Bill O'Donnell, FHWA, clarified that the decision to change the project from a four-lane cross-section to a two-lane cross section was based on a re-analysis of the traffic model, which included recent improvements to the FE Everett Turnpike which were not in place during the previous EIS phase. Thus, the two-lane cross-section still meets the project purpose, which is, in part, to alleviate downtown congestion and provide an alternate connection between downtown and the Turnpike.
- Rich Roach, ACOE, commented that the socio-economic environment is probably a more substantial issue than natural resource impacts. He referred to environmental justice issues associated with the Pine Street neighborhood and surrounding areas. P. Walker acknowledged that concern and clarified that VHB will be conducting a full Environmental Justice analysis as part of the current Supplemental Study.
- Bill Neidermyer, USFWS, noted that the Federal endangered species list has been changed since the FEIS. Although he does not believe there would be any impact to the project, he stated that a new review of the project under the Endangered Species Act would be required.
- Lori Sommer, NHDES Wetlands Bureau, asked about the current plan. Specifically, L. Sommer noted that there appeared to be a new local road north of the downtown area on the 2003 Rizzo Plan. Frank O'Callaghan, VHB, noted that Rizzo had recommended some minor work to local streets (changing local patterns, re-stripping, etc.). However, that is not part of the current study. L. Sommer also asked whether NHDES Wetlands had issued a permit. P. Walker replied that apparently no Corps or NHDES permits had been issued.
- Nancy Mayville, NHDOT, clarified NHDOT's involvement in the project. NHDOT was only marginally involved in the EIS Phase which was managed by the City of Nashua. Later, NHDOT was asked to manage the final design process. If the project advances, the City will own the Broad Street Parkway. She clarified that about the same level of right-of-way acquisition and demolition is required for either the four-lane or two-lane alternatives.
- Charlie Hood, NHDOT, asked for clarification of the project schedule. P. Walker stated that VHB expects that VHB would be issuing a report in August. The report would contain the revised roadway concept design, construction cost estimates, the scope for the environmental process, and the Environmental Justice analysis.
- N. Mayville stated that the project will be municipally-managed if it advances. NHDOT is not funding the VHB study. Rather, the City funded the study to provide additional information to the Board of Aldermen. The City will need to sign a Memorandum of Agreement with NHDOT in order for the project to move forward.

SAFETEA-LU consultation & mitigation requirements for metropolitan and statewide planning

Leigh Levine, FHWA, provided an overview of new regulations in SAFETEA-LU, the latest transportation reauthorization bill, which discusses consultation requirements linking planning and NEPA. In summary, L. Levine anticipates Metropolitan Planning Organizations and NHDOT reviewing their long-range transportation plans and updates with the resource agencies at future meetings. It should prove to streamline coordination and mitigation of impacts on a regional and statewide level.

Portsmouth-Kittery, BHF-X-T-0101(015), 13678

Kevin Nyhan discussed this project, which consists of the rehabilitation of the bridge that carries US Route 1 over the Piscataqua River in Portsmouth, NH (Memorial Bridge), and the replacement of the approach bridge over Scott Avenue. There will be very minor environmental impacts associated with this project. However, the Piscataqua River is Essential Fish Habitat (EFH). The Department will continue to coordinate with Mike Johnson, NMFS, relative to EFH. A permit from DES will be required for wetland impacts. Rich Roach stated that the project is exempt from the requirements to obtain a permit under the Clean Water Act. The Department will need to coordinate with the USCG relative to construction, however a permit is not needed under Section 10 of the Rivers and Harbors Act. A minimum type permit is anticipated from the DES Wetlands Bureau for work required to re-fender the piers below the water line. There will be no work in the substrate of the river.

The project is scheduled to be on shelf in the fall of 2007 for construction when funding becomes available. There will most likely be no on-the-ground work until approximately 1 year later as the first major part of the project will be fabricating a new lift span off site.

No one in attendance objected to the project as proposed.

This project was previously reviewed on the following dates: 9/15/2004 & 9/21/2005

Portsmouth, STP-X-5379(025), 13455

Jennifer West from Normandeau Associates presented a status report on the wetlands impact and mitigation assessment that has been completed to-date for the US Route 1 Bypass Project in Portsmouth, NH. Bob Klimm from PB presented an overview of the project and design alternatives.

J. West indicated that wetlands have been mapped, and the impacts for the primary alternatives are on the order of 1 acre. These are mainly emergent and shrub scrub wetlands.

Normandeau Associates has had discussions concerning potential mitigation with NHDES, the NH Coastal Program, the City of Portsmouth, and the Hodgson Brook Restoration Advisory Committee. A number of mitigation alternatives have been identified, including:

- Portsmouth rotary infield site
- Meadowbrook Inn site
- Lois Street site
- Borthwick Avenue site (stormwater treatment wetland)
- Griffin site (stormwater treatment site)
- Hodgson Brook improvements at the Pease Tradeport

- Hodgson Brook crossing improvements

The Borthwick Avenue site (too small), the Griffin site (already a wetland), and the Lois Street site have been ruled out from further consideration.

J. West then discussed each of the remaining sites. Following a discussion, it was agreed that the mitigation should focus on restoration, with some creation component, and be tied to Hodgson Brook. The infield site, the Meadowbrook site, and the Pease Tradeport options should be further explored. It was strongly suggested that the consultant team work closely with the Hodgson Brook Restoration Advisory Committee.

Once the design team further refines the mitigation package, the project will be presented again to the resource agencies.

Alstead, X-A000(473), 14541J

Chris Carucci and Bob Aubrey presented this project which involves the reconstruction of a flood damaged section of NH Route 123 beginning east of the intersection of NH Route 12A & Griffin Hill Road, proceeding west to a point approximately 1,000 feet west of the NH Route 123A intersection.

Chris Carucci indicated that the project involves reconstructing the roadway to an 11-4 typical section and restoring two-way traffic to the roadway. The roadway will be shifted slightly away from the Cold River near the western end of the project to provide for better sight distance at the 123A intersection. In the middle of the project, the existing temporary signals will be removed once an additional travel lane is constructed. In order to construct this lane the existing toe of slope will need to be shifted out slightly into Warren Brook. A concrete toe wall will be constructed along the toe of slope and attached to the bedrock to help stabilize the stone fill along the embankment. Class A stone will be placed at a 1 ½: 1 slope up to 3' above the Q100 elevation. The remainder of the slope will be Class B stone at a 1 ½: 1 slope, covered with humus and seeded. A second area of proposed riverbank stabilization is located approximately 1000' east. This location will have Class A stone at a 1 ½: 1 slope up to 3' above the Q100 elevation, with the remainder of the slope constructed of earth at a 2:1 slope. Humus, seed , and landscaping are proposed for the 2:1 portion of the slope. The Griffin Hill/ NH Route 12A intersection will be reconstructed and NH Route 123 will be shifted to the north towards the river to provide for a safer approach and allow for the construction of a new bridge.

Bob Aubrey reviewed the design of the NH Route 123 bridge over Warren Brook (087/156) to the southeast of the NH Route 12A intersection. This bridge will be moved approximately 65-70 feet to the north (downstream) of the existing structure. This structure will be widened to a channel width of approximately 30 feet (48 feet along the roadway centerline) and will pass a 100-year flooding event. Bob also noted that some work would be done to the NH Route 123A bridge over Warren Brook (073/163). This work will include the installation of one wing wall and stabilizing the slopes and channel bottom of Warren Brook using stone fill.

Kevin Nyhan noted that this project involves fill within the floodplain of Warren Brook that is within pre flood 100-year flood zone without base flood elevations. After the floods the US Geological Survey (USGS) completed a post-flood study for a future update of the Flood Insurance Rate Maps (FIRM) in Alstead. On September 6, 2006 the NHDOT met with NH Office of Energy and Planning (NHOEP) Bureau of Emergency Management (BEM), the Federal Emergency Management Agency (FEMA), and the US Geological Survey (USGS) to determine the appropriate roadway design in floodplain areas given the devastation and changes that occurred during the flooding events. It was determined at this meeting that NHDOT would not be required to provide floodplain mitigation, however the information found in post-

flood survey data from USGS should be used to determine the location of post-flood floodplains and the estimated fill required in floodplains. Jennifer Gilbert of OEP concurred with this recollection.

Jon Evans and Kevin Nyhan noted that it was agreed during previous meetings with the resource agencies that the project would not require wetland mitigation and that review by the Wetlands Bureau of the wetland permit application would be expedited. Jon noted that the application was sent to DES in March and that the project is scheduled to advertise June 5, 2007. Rich Roach noted that this project would qualify for coverage under the NH Programmatic General Permit.

This project was previously reviewed on the following dates: 8/23/2006 & 10/18/2006

Alstead, X-A000(479), 14541K

Bob Aubrey presented this project, which involves the replacement of the bridge that carries NH Route 123 over Cold River in Alstead, the so-called rigid frame. Previous designs had the Department rehabilitating the structure, as post-flood investigations indicated that the south abutment appears to have sunk 9-inches and there are transverse cracks on the deck. Recently however, additional longitudinal cracks have developed in the northerly end of the deck as well as the northern frame leg, indicating a progressively unstable situation necessitating the proposed replacement alternative.

The new bridge will be approximately 2 feet upstream of the existing structure, with a clear span of 88 feet, carrying an 11-4 typical section across the bridge. The existing bridge has a clear span of 60-61 feet. In addition, the proposed bridge will follow more closely with the recommendations made in the fluvial geomorphology based assessment completed by Horizons Engineering following the flooding of October 2005. The treatments at the bridge will consist of stone fill to protect the abutments, with humus and seeding above the Q100 elevation. A temporary bridge will be used just upstream of the existing structure to facilitate vehicular traffic during construction.

No one in attendance objected to this revised scope of work. Once more details are available the project will be brought back to the resource agencies for review.

This project was previously reviewed on the following date: 11/15/2006.

Dover, NHS-STP-BRF-FA-T-0122(040), 11657

Tim Boodey provided an overview of the project. Construction of the Scammel Bridge over the Bellamy River in Dover was completed in 1998. Since its completion, it has been discovered that voids have developed in the concrete encasements around 7 of the steel piles. The original contractor will be repairing this concrete. The dimensions of the encased piles will remain the same and all work will be done from a barge. A Dredge & Fill application will be required and has been started.

Rich Roach, ACOE, stated that because this project consists only of repairs to an existing structure, it is exempt from the Section 404 permit. He also indicated that the project would require coordination with the US Coast Guard under Section 10 of the Rivers and Harbors Act.

Ted Kitsis commented that in order for the contractor to do this work; these repairs need to be started by mid-summer. Gino Infascelli, DES Wetlands Bureau, suggested that the project be put at the top of the priority list. He did not have any issues with this project and indicated that the project would not necessitate a site visit.

This project was previously reviewed on the following dates: 9/16/1993, 12/16/1993, 5/26/1994, 10/20/1994 & 1/19/1995

Derry-Londonderry, IM-0931(201), 13065

The purpose of this meeting was to notify the agencies that the Draft Environmental Impact Statement (DEIS) for this project is to be distributed to the general public soon and that the proposed joint Public Hearing (with FHWA, ACOE and NHWB) is tentatively scheduled for July 31, 2007. The ACOE Individual and NHWB Standard Dredge and Fill wetland permit applications will be submitted in early June.

Jamie Paine provided a status update of the project and provided a quick refresher of the project to those present. An impact matrix of the remaining alternatives, a location map and several wetland resource maps of the preferred alternative were provided.

J. Paine reviewed the five remaining build alternatives (four off-alignment alternatives and one minor upgrade of NH Route 102). Two off-alignment alternatives each commence from either a northern or southern interchange location. The alternatives are as follows:

A: Southern interchange – to Folsom Road, through Ross' Corner and then along Tsienneto Road to its intersection with NH Route 102;
B: Southern interchange – through Derry Business Park to Ashleigh Drive, cross country route that bypasses Tsienneto Road, then ties into NH Route 102 at Tsienneto Road intersection;
C: Northern interchange – follows along NH Route 28 to Ashleigh Drive, cross country route that bypasses Tsienneto Road, then ties into NH Route 102 at Tsienneto Road intersection); and
D: Northern interchange – follows along NH Route 28 to Ross' Corner and then along Tsienneto Road to its intersection with NH Route 102.
F: Minor upgrade – (three lanes, would remove parking through Downtown Derry) of NH Route 102 from approximately Derry Traffic Circle west to shortly beyond Derry/Londonderry town line.

It was explained that the preferred alternative (Alternative A) would impact 3.36 acres of wetlands. The resource agencies have reviewed potential mitigation site locations several times. Based on input from the agency members, the mitigation package contains both land preservation and wetland creation opportunities. The package as proposed consists of:

- Colby Litchfield Site: This 36-acre site would be put into conservation/preservation and is vital for connecting several large tracts of conservation land in Londonderry. The site connects Musquash Swamp with another parcel under already under conservation, the Lordes Parcel.
- Boston North Site: This 8.36-acre area is located in both Derry and Londonderry at the east end of a larger undeveloped parcel and contains both preservation and enhancement opportunities. 1.78 acres of this site would provide wetland enhancement. The remaining 6.58 acres of the mitigation site would be left in conservation. This work would remove fill and restore wetlands along Shields Brook from an underutilized and washed out access crossing to this parcel. An easement would be provided to allow the property owner access to their property. Any future crossing at this location would need to follow standard permitting processes and consider spanning the wetland area to maintain a natural stream bottom.

No one present had concerns with the mitigation package associated with the preferred alternative, the A Alternative.

This project was previously reviewed on the following dates: 5/28/1997, 3/17/1999, 6/16/1999, 10/20/1999, 11/17/1999, 8/16/2000, 9/20/2000, 7/18/2001, 8/17/2005 & 3/15/2006

NHDOT Bureau of Environment Website

Kevin Nyhan provided an overview of the Bureau of Environment website, located at http://www.nh.gov/dot/bureaus/environment/index.htm, which contains such things as environmental documents and minutes of past Natural Resource Agency Coordination Meetings. K. Nyhan asked for feedback for improvements.